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3 **UNITED STATES DISTRICT COURT**

4 **DISTRICT OF NEVADA**

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6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 ORLANDIS WELLS,

10 Defendant.

11 Case No. 2:19-cr-00216-JAD-NJK

12 **ORDER**

13 This matter is before the Court on Defendant Dr. Wells' Motion to Amend Conditions of
14 Pretrial Release, for Return of Passport, and for Permission to Travel filed on October 13, 2020.
15 (ECF No. 60). The Court ordered the Government to respond by October 15, 2020. (ECF No.
16 61). The Government filed its Response on October 15, 2020 (ECF No. 62). The Defendant filed
17 a Reply to the Response on that same date. (ECF No. 63). The Court finds this matter
18 appropriately decided without an evidentiary hearing because there are no disputed material
19 issues of fact related to the motion.

20 Dr. Wells requests that his passport be returned to him and seeks temporary amendment of
21 his pretrial release travel restrictions so that he can travel to Tijuana, Mexico October 20, 2020 to
22 accompany his mother who has been diagnosed with Stage IV breast cancer to an advanced
23 chemotherapy treatment facility located there. Dr. Wells attaches detailed information explaining
24 his mother's current condition and the reason for travel. While the exact dates of the treatment
25 are currently unknown, Dr. Wells has indicated he will immediately inform the Court and his
pretrial officer of the dates necessary for the treatment and his travel arrangements.

26 The Government does not object to Dr. Wells' request to be allowed to have his passport
27 returned to him so that he can travel to Tijuana, Mexico for his mother's treatment. However, the
28 Government requests that the Court add two additional conditions: 1) That Dr. Wells return his

1 passport to Pretrial in between each of his travels to Mexico by the next business day after his
2 reentry into the United States; and 2) that he advise Pretrial Services of the dates of his planned
3 travel to Mexico at least 72 hours before he departs. Additionally, Pretrial Services does not
4 object to Dr. Wells traveling to Mexico and concurs in the Government's recommendation about
5 the two additional conditions.

6 Dr. Wells replies that because his mother's medical condition and the related situation is
7 extremely fluid and unpredictable. He argues requiring him to provide 72 hours notice before
8 traveling to Mexico and requiring him to turn in his passport in the interim will create undue
9 hardships and inhibit Dr. Wells' ability to accompany his mother for her treatment given the fluid
10 nature of the emergency situation. Dr. Wells has offered to provide the Court, the Government
11 and Pretrial Services detailed status reports on his mother's condition and travel if necessary to
12 address concerns the parties may have regarding Dr. Wells' proposed travel.

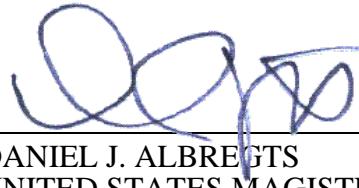
13 Dr. Wells was ordered released on his own recognizance on August 23, 2019 with certain
14 conditions, including Pretrial Services' supervision, surrendering his passport, and restricting his
15 travel. (ECF No. 6). The record in the case reflects that Dr. Wells has been entirely compliant
16 with the conditions of his pretrial release since that time. Dr. Wells now asks for a temporary
17 suspension of these conditions to allow the return of his passport so he can travel to Tijuana,
18 Mexico for approximately three weeks to accompany his mother for her chemotherapy treatment
19 related to her Stage IV breast cancer. Such a request is utterly reasonable under the
20 circumstances and is justified given Dr. Wells' complete compliance with his conditions of
21 release for well over a year. Additionally, the Government does not object to him traveling to
22 Tijuana, Mexico, but asks for more restrictive conditions. While the Court understands the
23 Government's position in that regard, the Court does not want to unnecessarily burden Dr. Wells
24 with conditions that are not necessary yet may interfere with his ability to accompany and assist
25 his mother with her cancer treatment. Accordingly, the Court will grant Dr. Wells' request to
26 modify his conditions of release.

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1 **IT IS HEREBY ORDERED** that Defendant Orlandis Wells' Motion to Amend
2 Conditions of Pretrial Release, for Return of Passport, and for Permission to Travel (ECF No. 60)
3 is **GRANTED**.

4 **IT IS FURTHER ORDERED** that Defendant Orlandis Wells' conditions of release are
5 modified as follows. Pretrial Services shall return Dr. Wells' passport to him solely for the
6 purpose of Dr. Wells travelling to Tijuana, Mexico to accompany his mother for her Stage IV
7 breast cancer chemotherapy treatment. Given that it appears as though the course of treatment is
8 for approximately three weeks, the Court will order that Dr. Wells is allowed to retain his
9 passport and travel to Tijuana, Mexico for five (5) weeks from the date of this order. Upon
10 completion of the treatment and his return from Mexico Dr. Wells is immediately to surrender his
11 passport to Pretrial Services, and the travel restriction to the Continental United States will be
12 reimposed for the duration of his supervision.

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14 DATED: October 16, 2020

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17 DANIEL J. ALBREGTS
18 UNITED STATES MAGISTRATE JUDGE
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